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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/756,160	01/12/2004	Parvathanathan Subrahmanya	040145	3387
23696 7590 10/23/2007 QUALCOMM INCORPORATED 5775 MOREHOUSE DR. SAN DIEGO, CA 92121			EXAMINER GARY, ERIKA A	
			ART UNIT 2617	PAPER NUMBER
			NOTIFICATION DATE 10/23/2007	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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## Office Action Summary

Application No.

10/756,160

Applicant(s)

SUBRAHMANYA,  
PARVATHANATHAN

Examiner

Erika A. Gary

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 8/24/07.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10, 13-22, 25-34, 37 and 40 is/are pending in the application.
- 4a) Of the above claim(s) 11, 12, 23, 24, 35, 36, 38, 39 and 41-53 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5, 8, 17, 20, and 32 is/are allowed.
- 6) ☒ Claim(s) 1-4, 6, 7, 9, 10, 13-16, 18, 19, 21, 22, 25-28, 30, 31, 33, 34, 37 and 40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4, 6, 7, 9, 10, 13-16, 18, 19, 21, 22, 25-28, 30, 31, 33, 34, 37 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Heidari, US Patent Number 6,711,413 (hereinafter Heidari) in view of applicant's submission of prior art, Collins et al., US Patent Number 6,157,815 (hereinafter Collins) further in view of Wang, US Patent Number 5,898,904 (hereinafter Wang).

Regarding claims 1, 13, 25, 37, and 40, Heidari discloses a method for operating a wireless communications device, comprising operations of: responsive to wakeup from a reduced power sleep state, performing operations comprising: detecting signal quality of one or more prescribed signals received by the wireless communications device, receiving signals including scheduled network transmission of a call-paging message where the number of pages varies with the detected signal quality and wherein the call-paging message content indicates whether the network has received an incoming call [abstract; col. 4: lines 12-18, 39-46; col. 5: line 62 – col. 6: line 6].

What Heidari does not specifically disclose is the paging messages also include a repeated network transmitted broadcast paging message that occurs multiple times

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for each scheduled transmission of the call-paging message. However, Collins teaches these limitations [col. 10: line 30 – col. 11: line 65]. Further, Collins teaches that the broadcast paging message indicates the nature of the message [col. 5: lines 22-27], but does not specifically disclose that broadcast-paging message content indicates whether the network has announced availability of on-demand broadcast content. However, Wang teaches this limitation [col. 15: lines 3-15].

Heidari, Collins, and Wang are combinable because they are from the same field of endeavor, that is, paging a wireless communications device upon wakeup from a reduced power sleep state. At the time of the invention, it would have been obvious to one of ordinary skill in the art to modify Heidari to include Collins and Wang, as it is known to monitor for broadcast paging messages as well as call paging messages and provide the nature of the content of the message.

Regarding claims 2, 14, and 26, it is inherent in the art to compute a next wakeup time prior to re-entering the sleep state in order to minimize a total time of receiving paging messages.

Regarding claims 3, 15, and 27, Collins discloses the operations further comprise the wireless device obtaining information including: a time of network transmission of the next call-paging message, and a schedule for network transmission of the repeating broadcast-paging message; performance of the computing operation utilizes data including the obtained information [col. 10: line 30 – col. 11: line 65].

Regarding claims 4, 16, and 28, Collins discloses planning an order of receiving the call-paging message and the broadcast-paging messages to minimize the total time [col. 10: line 30 – col. 11: line 65].

Regarding claims 6, 7, 18, 19, 30, and 31, Heidari discloses re-detecting signal quality of one or more prescribed signals received by the wireless communications device; where the second number varies inversely with the re-detected signal quality [col. 7: lines 46-60].

Regarding claims 9, 21, and 33, Heidari discloses evaluating the signal quality per a predetermined criteria; establishing the first number according to results of the evaluation [col. 7: lines 46-60].

Regarding claims 10, 22, and 34, Collins discloses the wireless communications device re-entering the sleep state substantially immediately after receipt of the call-paging message and the first number of instances of the broadcast-paging message [col. 10: line 30 – col. 11: line 65].

### ***Allowable Subject Matter***

3. Claims 5, 8, 17, 20, and 32 are allowed as they contain allowable subject matter noted in the previous office action.

### ***Response to Arguments***

4. Applicant's arguments filed 8/24/07 have been fully considered but they are not persuasive. Applicant argues that the combination does not teach "the broadcast-

paging message content indicates whether the network has announced availability of on-demand broadcast content". However, the Examiner respectfully disagrees as Collins suggests indicating content by indicating the nature of the message [col. 5: lines 22-27]. Collins also discloses that the broadcast messages are for providing on-demand content such as stock quotes or weather information [col. 4: lines 19-23]. Wang is included in the rejection because Wang specifically discloses indicating whether the network has announced availability of on-demand broadcast content [col. 15: lines 3-15]. Applicant argues that Wang teaches away from the claimed limitation, but the Examiner argues the contrary, as Wang discloses that disadvantages of the prior art is that information is sent periodically, *rather than on-demand*. Further, the Examiner maintains that Heidari, Collins, and Wang are combinable because they are from the same field of endeavor, that is, paging a wireless communications device upon wakeup from a reduced power sleep state. Therefore, the rejection is maintained.

### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erika A. Gary whose telephone number is 571-272-7841. The examiner can normally be reached on Monday-Thursday.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on 571-272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EAG

October 15, 2007

  
ERIK A. GARY  
PRIMARY EXAMINER